

ORDINANCE NO. 523

AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES APPROVING A REVISION TO CASE NO. ZON2009-00053, A "CLEAN-UP" ZONE CHANGE FOR EAST TRACT 16540 – PORTUGUESE BEND CLUB, TO REZONE 4194 MARITIME ROAD FROM RS-2 (SINGLE-FAMILY RESIDENTIAL) TO RS-5 (SINGLE-FAMILY RESIDENTIAL) IN RANCHO PALOS VERDES, CA 90275

WHEREAS, in 1957, Tract 16540 was recorded under the County of Los Angeles for a total of 42 legal lots, whereby 31 housing units were relocated from the land area affected by the Portuguese Bend Landslide to the new subdivision between 1958 and 1959 and the remaining 11 lots were developed with custom homes; and,

WHEREAS, in 1975, the City's first Zoning Map was adopted and the properties located within Tract 16540 were placed within two zoning districts, RS-2 and RS-5, whereby some properties were designated wholly RS-2 or RS-5 and some properties contained dual zoning with both RS-2 and RS-5; and,

WHEREAS, in 1975, the City's first Zoning Map was adopted and a number of properties along the south side of Maritime Road also included an Open Space Hazard (OH) zoning designation; and,

WHEREAS, in 1978, the City's Coastal Specific Plan was adopted, in compliance with the mandates established by the California Coast Act for establishing a Local Coastal Program within the City's Coastal Zone (all land seaward of Palos Verdes Drive West and Palos Verdes Drive South), and the City's Coastal Specific Plan established a total of eight (8) Subregions, whereby Tract 16540 is located within Subregion six (6); and,

WHEREAS, on March 3, 2009, the City Council approved a Director-initiated Zone Change Initiation Request (ZCAIR) to bring a Zone Change before the Planning Commission for review and preparation of a formal recommendation to the City Council regarding the Zone Change of Tract 16540; and,

WHEREAS, on August 4, 2009, the City council certified a Negative Declaration, pursuant to the California Environmental Quality Act, determining that no significant environmental impact would result from the "clean-up" Zone Change for all properties located within E. Tract 16540. In addition, the City Council introduced Ordinance No. 496 for a "clean-up" Zone Change for all properties within E. Tract 16540 (Case No. ZON2009-00053), with the exception of 4194 Maritime Road, which was not approved due to a pending Lot Line Adjustment application. The City Council directed Staff to bring a Revision to the "clean-up" Zone Change once the Lot Line Adjustment for 4194 Maritime Road was finalized; and,

WHEREAS, on August 18, 2009, Ordinance No. 496 was formally adopted by the City Council, to go into full force and effect on September 17, 2009; and,

WHEREAS, on October 16, 2009, the City adopted a final version of Ordinance No. 496, an ordinance of the City of Rancho Palos Verdes, approving a "clean up" Zone Change for properties located within E. Tract 16540, excluding 4194 Maritime Road, which was to be brought back at a later date, pending approval and finalization of a Lot Line Adjustment; and,

WHEREAS, on July 22, 2010, the Hearings Officer approved a Coastal Permit and Lot Line Adjustment (Case No. ZON2010-00077 and SUB2010-00001) to adjust the lot lines between two parcels (3 Yacht Harbor Drive and 4194 Maritime Road); and,

WHEREAS, on May 23, 2011, Staff received confirmation that the approved Lot Line Adjustment (Case No. ZON2010-00077 and SUB2010-00001) documents were recorded with the Los Angeles County Recorder's Office; and,

WHEREAS, on June 28, 2011, the Planning Commission adopted P.C. Resolution No. 2011-24 recommending that the City Council approve a Zone Change for the property located at 4194 Maritime Road, within E. Tract 16540, thereby changing the zoning from RS-2 to RS-5; and,

WHEREAS, on July 22, 2011, Staff sent a public notice of the proposed "clean-up" rezoning of 4194 Maritime Road to all property owners who reside within E. Tract 16540 and also published the notice in the *Peninsula News* (Case No. ZON2009-00053); and,

WHEREAS, on August 2, 2011, the City Council conducted a public hearing regarding the proposed zone change and introduced Ordinance No. 523 for a "clean-up" Zone Change for 4194 Maritime Road, Case No. ZON2009-00053 to be formally adopted via a second reading on August 16, 2011; and,

WHEREAS, on August 16, 2011, Ordinance No. 523 was formally adopted by the City Council, to go into full force and effect on September 15, 2011; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: The City Council has reviewed and considered the amendments to the Rancho Palos Verdes Zoning Map for a "clean-up" Zone Change for the property located at 4194 Maritime Road, within E. Tract 16540 of the Portuguese Bend Club.

Section 2: The City Council finds that the Zone Change for 4194 Maritime Road is consistent with California Government Code Section 65853, zoning amendment procedures.

Section 3: The proposed Zone Change is warranted since it is consistent with the City's Local Coastal Specific Plan, which states, "...the 5 unit per acre density is in conformance with the existing pattern [of development] and induces new units under a pattern which is compatible with the intimate character established by past development" (page S6-10, RPV Coastal Specific Plan). The change in zoning from RS-2 (Single-family Residential) to RS-5 (Single-family Residential) would be consistent with the exiting pattern of development, density and lot sizes found within East Tract 16540.

Section 4: For the foregoing reasons and based upon the information and findings included in the Staff Report, Initial Study and other records of these proceedings, the City Council of the City of Rancho Palos Verdes hereby approves the Zone Change, thereby rezoning the property located at 4194 Maritime Road from wholly RS-2 (Single-family Residential) to wholly RS-5 (Single-Family Residential) so that all of the residential portions of

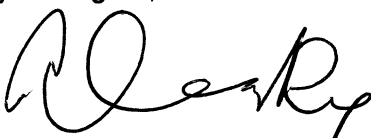
the properties within E. Tract 16540 shall be in one uniform residential RS-5 Zone, as set forth in Exhibit "A" (which is attached hereto and incorporated herein by this reference).

Section 5: The City Council finds that there is no substantial evidence that the proposed Zone Change amendment to E. Tract 16540 would result in any new significant environmental effects. A Negative Declaration was prepared and adopted by C.C. Resolution No. 2009-58, certifying the Negative Declaration and making certain environmental findings in association with Case No. ZON2009-00053. Those findings are applicable to this change of zone within the same housing tract.

Section 6: The Rancho Palos Verdes Zoning Map is hereby by amended to change the residential zoning designation for the property located at 4194 Maritime Road, within East Tract 16540, to Single-Family Residential (RS-5), as illustrated in Exhibit "A," which is attached to this Ordinance and incorporated herein by this reference.

Section 7: The time within which judicial review of the decision reflected in this Ordinance must be sought is governed by Section 1094.6 of the California Code of Civil Procedure and other applicable short periods of limitation.

PASSED, APPROVED and ADOPTED this 16th day of August, 2011.



Mayor

ATTEST:



City Clerk

State of California)
County of Los Angeles) ss
City of Rancho Palos Verdes)

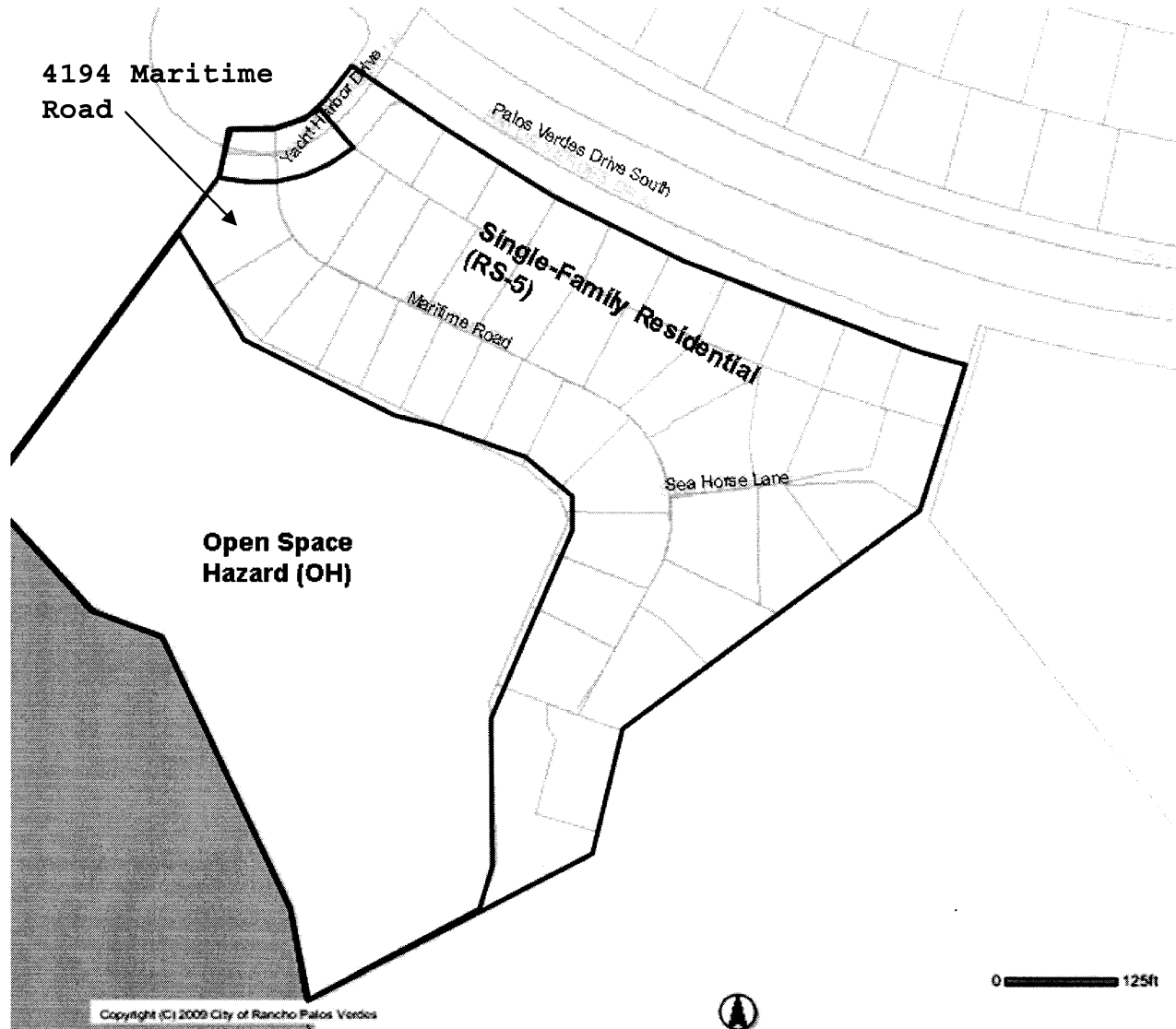
I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 523 passed first reading on August 2, 2011, was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on August 16, 2011, and that the same was passed and adopted by the following roll call vote:

Ayes: Misetich, Stern, Wolowicz and Mayor Long
Noes: None
Absent: Campbell
Abstain: None



City Clerk

EXHIBIT A
Amended Zoning Map Designation
E. Tract 16540 – Portuguese Bend Club





RANCHO PALOS VERDES

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF RANCHO PALOS VERDES)

AFFIDAVIT OF POSTING

The undersigned, being first duly sworn, deposes and says:

That at all times herein mentioned, she was and now is the appointed City Clerk
of the City of Rancho Palos Verdes;

That on August 18, 2011, she caused to be posted the following document
entitled: ORDINANCE NO. 523 - AN ORDINANCE OF THE CITY OF
RANCHO PALOS VERDES APPROVING A REVISION TO CASE NO.
ZON2009-00053, A "CLEAN-UP" ZONE CHANGE FOR EAST TRACT 16540
- PORTUGUESE BEND CLUB, TO REZONE 4194 MARITIME ROAD FROM
RS-2 (SINGLE-FAMILY RESIDENTIAL) TO RS-5 (SINGLE-FAMILY
RESIDENTIAL) IN RANCHO PALOS VERDES, CA 90275, a copy of which is
attached hereto, in the following locations:

City Hall
30940 Hawthorne Blvd.
Rancho Palos Verdes

Ladera Linda Community Center
32201 Forrestal Drive
Rancho Palos Verdes

Hesse Park
29301 Hawthorne Blvd.
Rancho Palos Verdes

I certify under penalty of perjury that the foregoing is a true and correct affidavit of
posting.



City Clerk